IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8710 OF 2007

Harijan Hitvardhak Coop.
Housing Society Ltd. .. Petitioner
Versus
Dy.Registrar, Coop.Societies,
Thane City and Anr. .. Respondents

Mr.Anilkumar Patil for petitioner
Mr.S.K.Chinchlikar, A.G.P. for respondents.

CORAM : S.C.DHARMADHIKARI, J.
DATE : 29th November 2007

P.C.

. Mentioned not on board. In the light of the communication dated 23rd November 2007, urgency is made out.

2. Taken on board by consent and disposed of.

3. Petitioner has alternate remedy of

approaching the appellate authoerity challenging the order passed against the petitioner society. Mr.Patil, after taking instructions, makes a statement that appeal has already been preferred and the same is not being taken up because the appellate authority is away for attending Legislative Assembly session at Nagpur.

3. The petitioner is aggrieved by the communication whereunder the Cooperative Officer has threatened to enter the society premises and take forcible possession of the records and property.

4. After this matter was kept back, learned A.G.P. took instructions and now he makes a statement that the appeal will be disposed of within six weeks from the date of first appearance of parties. Accordingly following order:-

(a) Petitioner to appear before the appellate authoerity on 11th December 2007 at 2.30 p.m. The appellate authority to then take up the appeal and dispose of the same as expeditiously as possible and within six weeks from the date of appearance. All contentions are kept open. Till the appeal is disposed of and for a period of two weeks thereafter, the communication at Exh.J to this petition (pg.45) shall not be acted upon and the concerned officer not to proceed in furtherance thereof to take possession as threatened.

5. Petition disposed of. No costs.

(S.C.Dharmadhikari, J)